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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,442	11/20/2003	Thomas E. Creamer	BOC9-2003-0055 (426)	9830
40987 7590 11/13/2008 AKERMAN SENTERFITT P. O. BOX 3188 WEST PALM BEACH, FL 33402-3188				
EXAMINER WALSH, JOHN B				
ART UNIT 2451		PAPER NUMBER		
MAIL DATE 11/13/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/718,442

Applicant(s)

CREAMER ET AL.

Examiner

John B. Walsh

Art Unit

2451

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 4-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Amendment

1. The declaration filed on August 8, 2008 under 37 CFR 1.131 has been considered but is ineffective to overcome the reference. It is unclear from the evidence provided where support for the claimed servlet within the application environment, wherein the application environment is disposed within a different network space than said service environment. Page 14 shows the servlet G which appears to be within the service environment (service provider-shaded box) not within a different network space as claimed. Furthermore the declaration is unsigned by inventor Victor Moore.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2 and 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent Application Publication No. US 2005/0044197 A1 to Lai.

As concerns claim 1, providing Web services comprising: registering a Web service with a service registry (0211-0214, 0216, 0239,0241,0278; fig. 1, 32,95,107); conveying the Web service to a service provider (0211-0214, 0216, 0239,0241,0278); installing the Web service within a service environment (0211-0214, 0216, 0239,0241,0278; fig. 1, 32,95,107); receiving a

request for the Web service from a service user wherein the user has selected the Web service from the service registry, wherein said request is received within an application server (0421,0431,0431) disposed within an application environment, and wherein said application environment is disposed within a different network space than said service environment (fig. 1, 32,95,107); executing a servlet (0413-0415,0431,0759;fig. 41-43) within the application environment to establish a communication pathway between the application server and a gateway (0217,0237,0422,0435,0437;fig.74); conveying service-initiating information to the gateway, the service-initiating information specifying the requested Web service (0211-0214, 0216, 0239,0241,0278); accessing said requested Web service across the gateway (0217,0237,0422,0435,0437;fig.74); and transporting service data for said Web service from the application server disposed in said application environment to the service user (0421,0431,0431; fig. 107).

As concerns claim 2, wherein said application environment is an open Internet environment (fig. 1- Internet), and wherein said service environment is at least one of a trusted network environment and a secure network environment (fig. 13).

As concerns claim 4, wherein said accessing further comprises: initiating a component within said gateway (0217,0237,0422,0435,0437;fig.74) that is specific to said Web service); and, initiating a component within said gateway that is applicable to multiple Web services (0211-0214, 0216, 0239,0241,0278; fig. 1, 32,95,107).

As concerns claim 5, said accessing further comprises: conveying information between the gateway and the application environment using a Common Request Broker Architecture (fig. 64-CORBA).

As concerns claim 6, further comprising: responsive to receiving the request for the Web service, executing at least one Java servlet (fig. 9, 41-43) within said application environment that initiates said accessing step.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. Walsh whose telephone number is 571-272-7063. The examiner can normally be reached on Monday-Thursday from 8:00-6:30.

5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John B. Walsh/
Primary Examiner, Art Unit 2451